

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF TEXAS,
HOUSTON DIVISION

UNITED STATES OF AMERICA §
Plaintiff, §
§
v. § Civil Action No. 4:11-CV-03016
§
\$20,793 IN U.S. CURRENCY §
Defendant in rem. §

DEFENDANT'S ORIGINAL ANSWER

Defendant in rem, by and through claimants Yahya and Mumtaz Tukdi ("Claimants"), files this original answer to Plaintiff's Original Complaint.

A. DEFENSES

1. Defendant (Claimants) asserts, if such be necessary, that the money carried by and claimed by Yahya Tukdi was his separate money and was carried solely on his behalf.
2. Defendant (Claimants) asserts, if such be necessary, that the money carried by and claimed by Mumtaz Tukdi was her separate money and was carried solely on her behalf.

B. ANSWER

3. Defendant admits the allegations in paragraph 1 of the Complaint.
4. With regard to paragraph 2 of the Complaint, Defendant admits that the total amount of money seized was \$20,793.00 in United States currency but denies that it was seized from Yahya Tukdi and Mumtaz Tukdi in one lump sum, rather, \$13,000 was seized from Yahya Tukdi and \$7,793.00 was seized from Mumtaz Tukdi.
5. The allegations in paragraph 3. of the Complaint are jurisdictional in nature and Defendant is not required to admit or deny same.
6. With regard to paragraph 4 of the Complaint, Defendant admits that venue is proper in

this Court, but denies that any acts occurred that give rise to any forfeiture.

7. Defendant denies the allegations in paragraph 5 of the Complaint.

8. With regard to the allegations in paragraph 6 of the Complaint, Defendant admits that Claimants were present at George Bush Intercontinental Airport preparing to leave on Emirates flight #212 bound to Dubai, that they were questioned by U.S. Customs and Border Protection Officials, and that Claimant Yahya Tukdi reported that he was transporting \$13,000, but Claimants deny the remaining allegations in paragraph 6.

9. With regard to the allegations in paragraph 7 of the Complaint, Defendant admits that Claimants were directed to an inspection table; that CBP Officers inspected the claimants' luggage; that a CBP Officer found money in Mrs. Tukdi's luggage, that the total amount between the two Claimants was \$20,793; and that the funds were seized by CBP. Claimants do not recall being asked to put their money on the table, or at least did not understand that it meant any amount of money beyond what was declared by Yahya Tukdi. Claimants deny any language that indicates that the total sum of money was the property of both claimants jointly.

10. Defendant (Claimants) denies that Plaintiff is entitled to any of the Relief Requested in paragraph 8 of the Complaint.

C. PRAYER

For these reasons, Defendant asks the court to enter judgment that Plaintiff take nothing, dismissing Plaintiff's suit with prejudice, and awarding Claimants' their claims and all other relief the court deems appropriate.

Respectfully submitted,

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CERTIFICATE OF SERVICE

Counsel for Plaintiff has been served with a copy of the foregoing electronically through the ECF system.

s/Kervyn B. Altaffer, Jr.